



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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MEETING MINUTES:

BOARD OF PROFESSIONAL LAND SURVEYORS

DATE AND TIME:

Thursday, September 20, 2012 at 8:30 a.m.

PLACE:

861 Silver Lake Boulevard, Dover, Delaware
Conference Room A, second floor of the Cannon Building

APPROVED:

October 18, 2012

MEMBERS PRESENT

Michael Szymanski, Professional Member, Chair
James Bielicki, Jr., Professional Member, Vice Chair
Laurence McBride, Professional Member
Kenneth Monroe, Public Member

DIVISION STAFF

Patricia Davis-Oliva, Deputy Attorney General
Sandra Wagner, Administrative Specialist III
Sheryl Paquette, Administrative Specialist III

MEMBERS ABSENT

Mary Chvostal, Public Member, Secretary
Mark Rosenthal, Public Member
Thomas Plummer, Professional Member

PUBLIC

There were no members of the public in attendance.

CALL TO ORDER

Mr. Szymanski called the meeting to order at 8:31 a.m.

Review and Approval of Minutes

Mr. Bielicki made a motion, seconded by Mr. McBride, to approve the August 16, 2012 minutes as amended. By unanimous vote, the motion carried.

Unfinished Business

Update on Discussion of Review of Exam – Failed Applicants

Ms. Wagner explained that she had contacted PCS and spoke to a representative from the testing company that said PCS works with NCEES to allow an applicant to review an exam upon failing. After

an exam is given, NCEES has a period posted on their website that gives the candidate who has failed a short period of time to request a review of their exam. This review is for both the national and the state exams. PCS will then contact the candidate for the review and set up the time. Mr. Szymanski questioned the order that Ms. Davis-Oliva wanted the Board to sign taking section 6.2 out of the rules and regulations. The Division and also the Board has no control over the review of any exams since they are given through PCS. Ms. Davis-Oliva said she would not want to have to go to court because someone is using their right under the 6.2 rule. The drainage examination and Delaware law examination are provided, proctored, and scored by the Professional Credentialing Services. This organization has its own review procedures that are not within the control of the Division of Professional Regulation. Therefore, this regulation is inconsistent with current practice and policy. The Board signed the order to be placed in the registry to remove the language from the Board's rules and regulations.

Recommendations from Hearing Officer – Joseph Filippone and Kenneth Schilling

The Board discussed the recommendations for Mr. Filippone and Mr. Schilling. After discussion, the Board felt that Mr. Filippone should have no action taken against him since the Board deemed his Maryland Course as fulfilling his ethics requirement. The Board agreed with the recommendation for Mr. Schilling. Mr. Bielicki made a motion, seconded by Mr. McBride, to modify the hearing officer's recommendation for Mr. Filippone. By unanimous vote, the motion carried. Mr. Bielicki made a motion, seconded by Mr. McBride, to accept the recommendation for Mr. Schilling. By unanimous vote, the motion carried.

NEW BUSINESS

Courses for Continuing Education Approval

James Conlow – PLSL Delaware Valley Webinar

Mr. McBride summarized the application for the Board. Mr. McBride made a motion, seconded by Mr. Bielicki, to deny 1 PDH for the PLSL Delaware Valley Webinar, Entry Rights of Surveyors. The Board doesn't approve webinars. By unanimous vote, the motion carried.

Review of Applications for Licensure by Examination

There were no applications for examination to review.

Review of Application for Licensure by Reciprocity

William Doolittle

Mr. Bielicki reviewed the application from Mr. William Doolittle. After discussion, Mr. Bielicki made a motion, seconded by Mr. McBride, to approve Mr. Doolittle's application and grant approval to sit for the Delaware Drainage & Jurisprudence Examination. By unanimous vote, the motion carried.

James Holliday

Mr. Bielicki reviewed the application from Mr. James Holliday. After discussion, Mr. Bielicki made a motion, seconded by Mr. McBride, to approve Mr. Holliday's application and grant approval to sit for the Delaware Drainage & Jurisprudence Examination. By unanimous vote, the motion carried.

Review of Application for Surveyor Intern

There were no applications for surveying interns to review.

Ratification of Issuance of Land Surveying Certificates of Authorization

Atlantic Surveyors & Mapping, LLC

Mr. Bielicki made a motion, seconded by Mr. McBride, to ratify the application of Certificate of Authorization for Atlantic Surveyors & Mapping, LLC. By unanimous vote, the motion carried.

Review of Land Surveying Certificate of Authorization

Ms. Wagner explained to the Board why she thought the application from Tetra Tech, Inc. should be reviewed by the Board. Tetra Tech underwent a name change. Mr. Bielicki made a motion, seconded by Mr. McBride, to approve the application from Tetra Tech, Inc. for a Certificate of Authorization. By unanimous vote, the motion carried.

Review of Audit

There were no audits to review.

Complaint Assignments

There were no new complaints received in August.

Complaint Status

No updates for September.

Closed Complaints

There were no closed complaints.

Wall Certificates

Mr. Szymanski and Mr. Bielicki signed the wall certificate for Mr. Joseph Maxcy.

Executive Discussion

There was no executive session for September.

OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)

Mr. Bielicki discussed with the Board some of the information he received at the NCEES Annual Meeting in St. Louis. Mr. Bielicki spoke about homes being erroneously mapped in flood zones determined by a company in Texas. This came up in the Zone meeting and other states are having a similar problem. Mr. Bielicki said that the lenders put more stock in the company from Texas and what they say than a land surveyor working in the state where the home is located.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

The next meeting of the Board is October 18, 2012 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Mr. Bielicki made a motion, seconded by Mr. Monroe, to adjourn the meeting at 9:48 a.m. By unanimous vote, the motion carried.

Respectfully Submitted,



Sandra Wagner
Administrative Specialist III

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.